

DUDLEY METROPOLITAN BOROUGH COUNCIL
SELECT COMMITTEE ON HEALTH AND ADULT SOCIAL CARE

HEALTH SCRUTINY PROTOCOL

1) Introduction

Section 244 of the National Health Service Act (2006), confers upon Local Authorities the power to review and scrutinise matters relating to the Health Services in their area and make reports and recommendations to Local N.H.S. bodies on these matters.

Under the Constitution of Dudley Metropolitan Borough Council this function falls to the Select Committee on Health and Adult Social Care.

Department of Health Regulations and Guidance set out the duties and responsibilities for both the Scrutiny Committee and N.H.S. Bodies and, it is in accordance with such Guidance, that all scrutiny will be undertaken.

This Protocol has been developed and agreed between the Select Committee on Health and Adult Social Care and our N.H.S. Partners operating throughout the Dudley Borough; Dudley Primary Care Trust; Dudley Group of Hospitals Trust; and the West Midlands Ambulance Service Trust. Its aim is to provide a framework for Health Scrutiny and it is hoped that experience over the coming months will help shape the Protocol and establish sound working relationships for health scrutiny in the future.

It is the intention that the Protocol will be reviewed after its first twelve months of operation.

2) Working Principles

Health Scrutiny in Dudley will be carried out in accordance with Government Guidance and on the basis of the following principles :

2.1 Shared Responsibility

- The health of the residents of Dudley is dependent on a number of factors, not just the quality of health services provided by N.H.S. organisations, but also the quality of other services, many of which are provided by the local authority.

- Many health services in Dudley are provided jointly or as the result of partnerships between the local authority and local N.H.S. organisations, as well as other partners.
- The success of health scrutiny in Dudley is dependent upon the Members of the Select Committee on Health and Adult Social Care - and Dudley MBC as a whole, as well as our Health Service Partners.

2.2 Cooperation

- Health scrutiny will be successful only if the key agencies involved work together within a climate of mutual respect and a shared understanding of health scrutiny and its aims.
- The key agencies involved must be willing to share knowledge, respond to requests for information, invitations and reports as appropriate; carry out any duties expected of them in relation to health scrutiny and treat with respect all officers, Councillors, non-Executive Directors, patient representatives and members of the public that may be involved in the process of health scrutiny.
- In line with Government Guidance it is recognised, and welcomed that it may, from time to time, be in the interest of all parties concerned to participate in regional-based scrutiny reviews with other scrutiny bodies and N.H.S. organisations.

2.3 Accountability

- The process of health scrutiny will be open and transparent.
- Those involved in the health scrutiny process will always declare any personal interest that they may have in particular pieces of work or investigation to the Select Committee on Health and Adult Social Care.
- The Select Committee on Health and Adult Social Care, whilst working within a framework of partnership and cooperation, is independent of the N.H.S. It also has the authority to hold views independent of those of other Members of the Council and the Council's Executive. It's aim should always be to work for the benefit of the citizens of the Borough of Dudley.

2.4 Accessibility

- Health Scrutiny will work best if it is seen as a process that enables Elected Members to engage with both patients and the public and where the key agencies engaged in the process are

working together to ensure that opportunities for patient and public involvement are maximised.

- The scrutiny process should have high regard for the need to be inclusive in its dealings with all appropriate groups and should pay particular attention to the accessibility and involvement of the more difficult to reach groups.

2.5 Outcome-focussed

- Health Scrutiny in Dudley is focussed on improving health services for, and improving the health of, Dudley's citizens.
- It is not the role of local authority health scrutiny to take up and scrutinize individual cases. Nor is it appropriate for health scrutiny to act as a complaints service for individual patients and members of the public, however, recognising that contact and cooperation will be maintained with the bodies created to further this area.
- Self-evaluation, as well as evaluation by others, will be welcomed by those involved in the health scrutiny process as useful ways of working towards this goal.

3) The Select Committee Health and Adult Social Care will :

3.1 Administration

- Arrange for agendas, reports and minutes to be distributed to established circulation lists.
- Invite N.H.S. representatives to meetings, giving appropriate and adequate notice.
- Appoint health advisors to take part in health scrutiny reviews and advise the Committee as appropriate.
- Give appropriate notice of requests for information.
- Distribute copies of review reports to appropriate N.H.S. representatives, appropriate patient representative bodies, the Council's Executive, individuals contributing to reviews, local M.P.'s, interested voluntary sector organisations, local libraries and information centres.

3.2 Consultation and Communication

- Consult with local N.H.S. bodies on its programme of work and, in particular, on the topics for review.

- Consult with appropriate patient groups, the general public and other relevant bodies, on topics for review.
- Make available its programme of work to health partners, the public and interested groups.
- Inform relevant N.H.S. bodies of any press or media releases relating to health scrutiny matters.
- Identify a key contact officer for health scrutiny.
- Through its Chair, Vice-Chair and support officer, maintain regular contact with representatives of N.H.S. bodies and other health interest groups as appropriate.

3.3 Committee Meetings and Health Scrutiny Reviews will

- Familiarise themselves with the subject under review.
- Treat those invited to appear at Committee meetings with courtesy and respect and ensure they have sufficient and appropriate support.
- Adopt a positive style of questioning.
- Never request N.H.S. employees to discuss individual performance or state their personal opinion as to the appropriateness of national government health policy.
- Undertake visits to N.H.S. centres as appropriate.
- Comply with the requirements of Dudley MBC's Constitution in relation to the calling and conduct of meetings.

4) Dudley Primary Care Trust, The Dudley Group of Hospitals NHS Trust and The West Midlands Ambulance Service Trust will :

4.1 Administration

- Provide information relating to the planning and operation of the health services that the Scrutiny Committee needs in order for it to carry out the health scrutiny function including commenting on N.H.S. plans, proposals and consultations, and carrying out health scrutiny reviews (excluding patient identifiable information, personnel and information to any N.H.S. employee or information which is non-disclosable by law).
- Provide the Committee with that information, when requested, within 28 days.

- Respond to health scrutiny review reports within 8 weeks.
- Copy that response to appropriate patient representative bodies, the Council's Executive, individuals contributing to reviews, local M.P.'s interested voluntary sector organisations, local libraries and information centres.

4.2 Consultation and Communication

- Actively consult with the Committee at an early stage on plans for substantial developments in services, or substantial variation in service provision.
- Inform the Committee of public consultations being carried out in sufficient time for the Committee to comment.
- Assist the Committee in identifying recently raised health issues.
- Take part in consultation on topics for review.
- Identify a key contact person for health scrutiny for each partner organisation.
- Through its Chief Executive and other representatives, as appropriate, maintain regular contact with the Scrutiny Committee.

4.3 Committee Meetings and Health Scrutiny Reviews

- Identify a lead officer for each health scrutiny review undertaken by the Committee as appropriate.
- Support Committee Members on site visits.
- Ensure that Chief Executive's - or nominated replacements - attend meetings of the Scrutiny Committee when invited.
- Ensure that, when invited and given appropriate notice, identified N.H.S. employees - or suitable nominated replacements - attend meetings of the Scrutiny Committee.
- Ensure that N.H.S. employees invited to Scrutiny Committee meetings answer questions openly and honestly and are given support as appropriate by their line managers.

Signed On Behalf Of :

DUDLEY METROPOLITAN BOROUGH COUNCIL

DUDLEY PRIMARY CARE TRUST

DUDLEY GROUP OF HOSPITALS NHS TRUST

WEST MIDLANDS AMBULANCE SERVICE TRUST

DATED

